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Attorneys for the Delphi Retiree Committee

UNITED STATES BANKRUPTCY COURT
SOUTHERN DISTRICT OF NEW YORK

-----x Chapter 11 Case No. 05-44481 (RDD)
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In re: : (Jointly Administered)
:
DELPHI CORPORATION, et. al., :
:
Debtors. :
:
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**STATEMENT OF ELECTION THAT APPEAL BE HEARD BY THE UNITED STATES
DISTRICT COURT FOR THE SOUTHERN DISTRICT OF NEW YORK**

The Committee of Eligible Salaried Retirees (the “Retiree Committee”) hereby elects, pursuant to 28 U.S.C. § 158(c)(1) and Federal Rule of Bankruptcy Procedure 8001, to have the appeal from the Bankruptcy Court’s Final Order Under 11 U.S.C. §§ 105, 363(b)(1), 1108, and 1114(d) (I) Confirming Debtors’ Authority To Terminate Employer-Paid Post-Retirement Health

Care Benefits And Employer-Paid Post-Retirement Life Insurance Benefits For Certain (A) Salaried Employees And (B) Retirees And Their Surviving Spouses, and (II) Amending Scope And Establishing Deadline For Completion Of Retirees' Committee's Responsibilities, entered March 11, 2009 ("Final OPEB Termination Order"), heard by the United States District Court for the Southern District of New York.

This appeal is related to the Delphi Salaried Retirees Association's appeal from the Bankruptcy Court's February 25, 2009 Order denying Delphi Retirees' motions to appoint an official retiree committee pursuant to Section 1114(d) of the Bankruptcy Code, 11 U.S.C. § 1114(d); holding that the protections of Section 1114 do not apply to Debtors' motion to terminate employee retiree benefit plans and programs that Delphi reserved the right to amend or modify; and authorizing Delphi to terminate all Delphi contributions to those plans effective April 1, 2009 [Docket No. 16404]. Upon docketing at the District Court, Appellants will seek to have the appeals consolidated and expedited.

Dated: San Francisco, California
March 13, 2009

Attorneys For The Delphi Retiree Committee

By: /s/ Neil A. Goteiner
Neil A. Goteiner

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